

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Environmental Services

AGENDA DATE: April 12, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William V. Stern, Deputy Building Official
(915) 599-3742

DISTRICT(S) AFFECTED: 4, 6 & 8

SUBJECT:

Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code:

- | | | | |
|----|--|--------------------|-------------------|
| 1. | 2827 Titanic Avenue
Melody K. Dunn and Arnold Dunn | \$8,179.21 | District 4 |
| 2. | 1021 Warwick Road
David Brooks | \$2,682.27 | District 6 |
| 3. | 2017 Central Avenue
Augustin S. Morales | \$20,662.08 | District 8 |

BACKGROUND / DISCUSSION:

The Building and Standards Commission conducted a public hearing on the mentioned properties and ordered that action be taken to ensure that the properties are made safe. The cost incurred for these properties were performed by the Department of Transportation of the City of El Paso, the City Clerk's Office and the Environmental Services Department.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

1. BSC Public Hearing – 2827 Titanic Avenue – September 29, 2010
2. BSC Public Hearing – 1021 Warwick Road – September 29, 2010
3. BSC Public Hearing – 2017 Central Avenue – September 29, 2010

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 29th day of September, 2010, after due notice and hearing, issued an order to MELODY K. DUNN and ARNOLD DUNN, record Owners of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

A portion of Lot 2, Block 13, Mountain Park Addition, Unit 3, to the City of El Paso, El Paso County, Texas, according to the recorded plat thereof on file in Volume 8, page 33, of the plat records of El Paso County, Texas, municipally known as 2827 Titanic Avenue, El Paso, Texas,

to be \$7,009.03, performed by the Department of Transportation of the City of El Paso, and \$1,170.18, performed by the City Clerk's Office and Environmental Services Department, making a total of \$8,179.21. The City Council finds that the work was completed on the 3rd day of December, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of EIGHT THOUSAND ONE HUNDRED SEVENTY-NINE AND 21/100 DOLLARS (\$8,179.21) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

(Signatures follow on next page)

ADOPTED this _____ day of _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 by _____, as _____ of the City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 29th day of September, 2010, after due notice and hearing, issued an order to DAVID BROOKS, record Owner of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 6, Block 31, Colonia Del Valle, Unit Three, an addition in the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 55, Page, 12, Plat Records in the Office of the County Clerk of El Paso County, Texas, municipally known as 1021 Warwick Road, El Paso, Texas,

to be \$1,500.88, performed by the Department of Transportation of the City of El Paso, and \$1,181.39, performed by the City Clerk's Office and Environmental Services Department, making a total of \$2,682.27. The City Council finds that the work was completed on the 3rd day of December, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of TWO THOUSAND SIX HUNDRED EIGHTY-TWO AND 27/100 DOLLARS (\$2,682.27) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

(Signatures follow on next page)

ADOPTED this _____ day of _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Cynthia Osborn
Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

Ellen A. Smyth
Ellen A. Smyth, P.E., Director
Environmental Services Department

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Notary Public, State of Texas
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(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 29th day of September, 2010, after due notice and hearing, issued an order to AUGUSTIN S. MORALES, record Owner of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 67 and the Westerly on-half of Lot 66, Block B, Bassett Addition, El Paso County, Texas, more particularly described as 2017 Central Avenue, El Paso, Texas,

to be \$19,664.02, performed by the Department of Transportation of the City of El Paso, and \$998.06, performed by the City Clerk's Office and Environmental Services Department, making a total of \$20,662.08. The City Council finds that the work was completed on the 11th day of December, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of TWENTY THOUSAND SIX HUNDRED SIXTY-TWO AND 08/00 DOLLARS (\$20,662.08) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

(Signatures follow on next page)

ADOPTED this _____ day of _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

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APPROVED AS TO FORM:

Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

Ellen A. Smyth, P.E., Director
Environmental Services Department

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COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 by _____, as _____ of the City of El Paso.

Notary Public, State of Texas
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El Paso, Texas 79901-1196